

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

FN 2011-002581

07/29/2011

COMMISSIONER WENDY S. MORTON

CLERK OF THE COURT  
Y. Soliz  
Deputy

IN RE THE MATTER OF  
JESSICA ANN SPEER

JESSICA ANN SPEER  
UP

AND

GREGORY WHITSON II

GREGORY WHITSON II  
13371 EL DON DR  
MAYER AZ 86333

MINUTE ENTRY

CCB Courtroom 503

Prior to commencement of Hearing on Order of Protection Plaintiff's Exhibits 1 through 10 are marked for identification.

10:11 a.m. This is the time set for a hearing regarding the Order of Protection issued on July 7, 2011 on behalf of Jessica A. Speer and against Gregory Whitson. Plaintiff/Jessica A. Speer is present on her own behalf. Defendant/Gregory Whitson is present on his own behalf.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Jessica A. Speer and Gregory Whitson are sworn.

The Court addresses the parties regarding the Order of Protection Plaintiff/Jessica A. Speer has against Defendant/Gregory Whitson.

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Plaintiff/Jessica A. Speer testifies.

Defendant/Gregory Whitson testifies.

11:06 a.m. Court stands in recess.

11:29 a.m. Court reconvenes with the parties present.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Having considered the testimony of the parties,

**THE COURT FINDS** by a preponderance of the evidence that there is reasonable cause to believe that Defendant has committed an act of domestic violence within the last year.

The Court finds it appropriate that the Order of Protection issued on July 7, 2011 be modified as stated on the record in open Court and reflected in the Order of Protection- amended signed by the Court this date.

**THE COURT FURTHER FINDS** it appropriate that the Order of Protection be modified as follows:

1. Defendant/Gregory Whitson II shall only contact Plaintiff/Jessica Speer through Court appointed advocate.
2. Defendant shall not contact Plaintiff through email, text messaging, Facebook, or phone calls.

**IT IS FURTHER ORDERED** that Defendant/Gregory Whitson II shall complete a Domestic Violence Treatment Program (Batterer's Prevention Program) and provide the Court with proof of completion no later than **January 13, 2012**. Defendant was provided with a list of approved providers by the Judicial Assistant in the courtroom.

**IT IS FURTHER ORDERED** setting a Status Hearing for **September 30, 2011 at 9:00 a.m.** for the purpose that Defendant shall provide a written update as to his attendance and status in the Domestic Violence Program (Batterer's Prevention Program). The report shall be completed by the provider, and shall be provided by Defendant to the Court at the Status Hearing.

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**Commissioner Wendy Morton  
Central Court Building  
201 W. Jefferson  
5<sup>th</sup> Floor, Courtroom #503  
Phoenix, AZ 85003**

**In the event Defendant/Gregory Whitson fails to appear for the Status Hearing on the above-stated time, the Court will issued a Civil Arrest Warrant for Defendant's arrest. Defendant is advised on the record that if he does not complete counseling as ordered, an Order to Show Cause hearing will be set and Defendant may be found in Contempt of Court and sanctions imposed.**

**If Defendant fails to complete the Domestic Violence Program as ordered, the Court will proceed in default and impose penalties on Defendant, and a Civil Arrest Warrant will be issued for his Contempt of Court.**

Discussion is held with the Court.

**IT IS ORDERED** setting a Review Hearing for **January 13, 2012 at 9:00 a.m.** before:

**Commissioner Wendy Morton  
Central Court Building  
201 W. Jefferson  
5<sup>th</sup> Floor, courtroom #503  
Phoenix, AZ 85003**

**In the event Defendant/Gregory Whitson fails to appear for the Review Hearing on the above-stated time, the Court will issued a Civil Arrest Warrant for Defendant's arrest.**

**THE COURT FINDS** that Brady applies.

**IT IS ORDERED** issuing a Notice to Sheriff of Positive Brady Indicator signed by the Court this date.

**IT IS FURTHER ORDERED** approving and settling formal written Order of Protection: Modified signed by the Court on July 29, 2011.

There being no need for the Court to retain the exhibits marked for identification but not offered into evidence,

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**IT IS ORDERED** permanently releasing Exhibit's 1 through 10 to the possession of the Plaintiff.

**LET THE RECORD REFLECT** Plaintiff sign an Exhibit/Record Release Form in open Court.

**ISSUED:** Hearing Order: Modified Order of Protection; Acceptance of Service.  
Notice to Sheriff of Positive Brady Indicator  
Exhibit/Record Release Form

**LET THE RECORD REFLECT** that the parties receive copies of the aforementioned documents in open court.

**LET THE RECORD FURTHER REFLECT** that Defendant signs an Acceptance of Service Form in open court.

**FILED:** Exhibit Worksheet

11:52 a.m. Hearing concludes.

**LATER:**

**LET THE RECORD REFLECT** that MCSO-OIC has been sent copies of the following documents by facsimile transmission this date:

Hearing Order Re: Modifying Order of Protection; Acceptance of Service

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.

**PLEASE NOTE:** This Court utilizes a digital audio recording system to preserve the official record of proceedings. Persons requesting copies of recorded proceedings do not have to provide blank CDs. All CDs will be provided by the Court, regardless of when the copies are made. A fee of \$20.00 will apply to all copies requested, either on the day of the hearing or for hearings recorded on an earlier date. Counsel or litigants must complete the appropriate request form which may be obtained from the Self-Service Center or from Court staff and present the completed form to the Self-Service Center. All fees must be handled through the Self-Service

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Center. Upon payment of the appropriate fees through the Self-Service Center, a receipt will be issued which shall then be presented to Court staff for preparation of the CD.